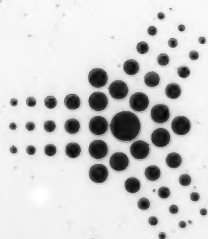


REPORT ON A

Land Use Strategy

FOR BRITISH COLUMBIA



COMMISSION ON
**Resources and
Environment**

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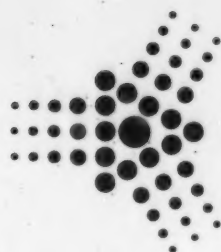
for British Columbia

Canadian Cataloguing in Publication Data
British Columbia. Commission on Resources and
Environment.
Report on a land use strategy for British Columbia

ISBN 0-7718-9249-7

1. Land use - British Columbia - Planning. 2.
Land use - Government policy - British Columbia. 3.
British Columbia. Commission on Resources and
Environment. I. Title. II: Land use strategy
for British Columbia.

HD319.B7B74 1992 3333.7'15'09711 C92-092298-8



COMMISSION ON **Resources and Environment**

Overview

The creation of the Commission on Resources and Environment signals an important provincial commitment to move British Columbia on a path towards a sustainable¹ society. The government has asked the Commission to develop and help implement a world-leading strategy² for land use planning and management, as a part of a larger commitment to sustainability.

There are many good reasons for the development of a comprehensive land use strategy, perhaps the most obvious of which are new demands placed on our resources by British Columbia's growing population and changing economy. More people and new needs present greater demands on the same land base. A strategy is needed to adjust and respond to these changing needs.

Additionally, it is necessary to reflect new social values in a land use strategy. In the early development of the province the issuance of resource rights and other planning decisions were made to promote economic and social development and job creation. Frequently, environmental concerns were secondary and dealt with as an afterthought. This approach reflected the social values of a "frontier" society that sought rapid development.

As British Columbia's economy has matured, its fundamental social values have changed. One of the most dramatic shifts has been a heightened concern for the environment. British Columbians now expect a land use strategy that recognizes protection of the environment together with economic development during land use decision-making.

1. The Commission uses the term "sustainable" to mean "capable of being maintained indefinitely". Sustainable Development, as defined by the World Commission on Environment and Development, is "development that meets the needs of the present without compromising the ability of future generations to meet their own needs".

2. The strategy will deal with land use and related resource and environmental management.



Government has created many agencies with useful and distinct mandates to deal with resource development and emerging environmental management, but many of the land use and environmental mandates in these agencies are conflicting or their relationships unclear. As a result, land use planning and management are often fragmented and driven by sectoral interests. Many British Columbians have called for a new provincial strategy to provide a framework to integrate economic and environmental planning and management.

The public expects a land use planning and management strategy that allows for more open and accountable decision-making, increased and more opportunities for regional and community-based involvement and control.

The public also expects a land use strategy to respect pressing concerns about jobs and community stability; one which will fairly address the economic and social impacts of changing use of natural resources and one that will enhance economic diversification and competitiveness.

The new strategy must incorporate society's desire to establish just agreements with Aboriginal peoples on outstanding land issues and questions of self government.

A new land use strategy must consider and balance all of these economic, environmental and social factors.

Fundamental change is taking place in our society. Under our current practices we are losing environmental options, economic certainty, jobs and community stability. The Commission on Resources and Environment has been created to help manage this change in a way that is socially, economically and environmentally sustainable. While this cannot happen overnight, if we work together now on this goal, we can start to make an important difference.

This report describes the Commission's mandate and preliminary work plans. It sets out a draft Land Use Charter for public consideration and comment, and describes how the public can become more directly involved in making land use decisions which are important to them.



Stephen Owen
Commissioner

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Summary

The *Commissioner on Resources and Environment Act* became law on July 13, 1992. The Act was passed in response to a growing demand for an improved land use planning system for British Columbia and it signals the commitment to a new approach for decision-making.

The Commission, created as a permanent body which is independent of the various provincial ministries, has been mandated for land use and related resource and environmental management which includes:

- Developing a province-wide strategy
- Developing, implementing and monitoring:
 - regional planning processes,
 - community-based, participatory processes, and
 - a dispute resolution system.
- Coordinating initiatives within the provincial government.
- Encouraging the participation of Aboriginal peoples in all processes affecting Aboriginal peoples that relate to the Commission's mandate.

In carrying out this mandate, the Commission is instructed to consider:

- Economic, environmental and social interests,
- Local, provincial and federal government responsibilities, and
- The interests of Aboriginal peoples, without prejudice to their Aboriginal rights and treaty negotiations.

The design of a land use strategy for British Columbia is underway. The provincial land use strategy will incorporate three levels of planning: provincial principles, goals and policies; regional negotiation processes where broad land use allocations will be determined; and community-based processes where resource and environmental issues will be managed.

Provincial

At the provincial level a draft set of fundamental principles has been compiled from a number of initiatives based on public consultation and consensus processes. These have been set out in this report as a draft *Land Use Charter* for public consideration and comment. Following these principles, goals are currently being compiled and existing government policy and gaps in policy

The Act was passed in response to a growing demand for an improved land use planning system for British Columbia.

identified as a basis for discussion and comment. Together these principles, goals and policies are intended to guide regional and community-based planning processes.

Regional

Major land use allocations are most appropriately made at a regional level where the area is of sufficient size to allow for proper evaluation of the most appropriate use and to allow for flexibility in achieving a balance among economic, social and environmental interests. These allocations will be decided by a regional negotiation process, which will be guided by provincial principles, goals and policies, such as the protected area strategy, and input from community-based management processes.

The Commission has been asked by Government to focus initially on the Vancouver Island, Cariboo-Chilcotin and Kootenay regions because of land use conflicts in these areas. Additionally, government has asked the Commission to make recommendations on the complex land use and related resource and environmental issues in the Tatshenshini-Alsek area of northwestern British Columbia.

Community-based

At the community level, detailed planning, management and monitoring of resource and environmental issues will occur. The Commission will be studying and supporting a variety of pilot projects during the next year to determine the most effective framework for these community-based processes.

Process

The traditional approach to land and resource allocation, based primarily on the responsibility of statutory decision-makers, is no longer accepted in British Columbia as necessarily the best way to make decisions. One of the main reasons that the Commission on Resources and Environment was established is that the public feels alienated from the decision-making process, and is demanding more significant and meaningful involvement.

In response to the public's demand, the Commission on Resources and Environment, will apply a "shared decision-making" approach to land use planning and management. In this approach decision-making shifts, for a set period of time, to a negotiating team which includes government representatives together with representatives of those interests most directly affected by the decisions.

Legislation and Mandate

Legislation

The *Commissioner on Resources and Environment Act* became law on July 13, 1992. The Act (Appendix II) sets out the responsibilities and powers of the Commission, providing for the appointment of a single Commissioner, who is a public officer appointed for a five year term, and the hiring of staff. The Commission is established as a permanent body, independent of the provincial ministries.

Mandate

The mandate of the Commission is set out in the Act as follows:

1. The Commissioner shall develop for public and government consideration a British Columbia wide strategy for land use and related resource and environmental management.
2. The Commissioner shall facilitate the development and implementation, and shall monitor the operation of:
 - a) regional planning processes to define the uses to which areas of British Columbia may be put,
 - b) community based participatory processes to consider land use and related resource and environmental management issues, and
 - c) a dispute resolution system for land use and related resource and environmental issues in British Columbia.
3. The Commissioner shall work to ensure effective and integrated management of the resources and environment of British Columbia by:
 - a) facilitating the coordination of initiatives within the provincial government, and
 - b) encouraging the participation of Aboriginal peoples in all processes affecting Aboriginal peoples that relate to the Commissioner's mandate and by maintaining strong links with negotiations on Aboriginal treaties.
4. The work of the Commissioner and the participation of Aboriginal peoples under this Act shall be without prejudice to their Aboriginal rights and to treaty negotiations.

5. In carrying out the mandate under this section, the Commissioner shall give due consideration to:
- a) economic, environmental and societal interests,
 - b) local, provincial and federal governmental responsibilities, and
 - c) the interests of Aboriginal peoples.

Role of the Commission

It is important to emphasize that the Commission is not a replacement for the statutory decision-making authority of the provincial government, or the line functions of the provincial ministries. Nor is it a judge of individual resource and environmental disputes. The Commission's role is to inquire into and advise the public and government on land use and related resource and environmental issues, and to help design and implement to facilitate this in a manner which should avoid such conflicts in the future.

Powers of the Commissioner

The Commissioner is given the powers of a public inquiry commissioner under the *Inquiry Act* including the holding of hearings, the issuing of subpoenas for witnesses and documents, and the taking of evidence under oath. The Commissioner also has the responsibility to report directly to the public on issues within the mandate where it would be in the public interest to do so.

Commission Staff

The Commission consists of a small professional and administrative staff representing a wide range of backgrounds from within and outside of government and includes people with professional expertise in planning, law, mediation, forestry, geology, soils management, public administration and resource management. While the staff comes from a variety of backgrounds, the individuals do not represent those sectoral interests in any formal way. A brief summary of each Commission staff member's experience appears in Appendix III.

It is important to emphasize that the Commission is not a replacement for the statutory decision-making authority of the provincial government, or the line functions of the provincial ministries

Future Legislation

The province-wide land use strategy will be developed over the next year and it is anticipated that it will be supported by future legislation. In the interim, a draft strategy must be available to guide current planning processes. The Commission has prepared a draft *Land Use Charter* which sets

out fundamental principles emerging directly or indirectly from various consultation initiatives over the past few years. This proposed Charter (please see page 14) will provide guidance for regional negotiation and community-based resource planning and management processes.

Throughout the next year the Commission will continue to refine the draft Charter, develop its strategic plan and related goals, review existing land use policy, identify gaps and make recommendations for changes to policy and planning procedures to meet the diverse and changing needs of the province.

Provincial Land Use Strategy

Introduction

The Commission is responsible for developing a strategy for the province to deal with land use and related resource and environmental issues. This will be presented for public and government consideration prior to being proposed as statutory legislation.

The provincial strategy must be a comprehensive and integrated system that includes:

1. At the provincial level, a statement of principles and goals to provide context for specific legislation and policies and guidance for regional and community-based planning processes. The strategy will also identify the categories of use to which land can be put and include a statement of rights and responsibilities of citizen participation in decision-making processes;
2. At the regional level, planning processes to establish broad allocations or large scale zoning of the land base into appropriate categories; and
3. At the community level, processes to provide more detailed direction on resource and environmental planning, management and monitoring.

In addition, planning processes at the sub-regional level can establish how land and resource uses can be integrated between regional and community processes.

In planning a new provincial land use strategy, it is important to identify the fundamental social values which may form the basis for guiding principles. In 1987, the World Commission on Environment and Development (the "Brundtland Commission") caught the imagination of the world when it articulated the principles of sustainable development. The Brundtland Commission brought us the critical insight that we all share a common future — that the fate of the environment and the fate of the economy are inextricably linked. It pointed out:

- if we want to have a healthy, long-term economy, we must be careful environmental stewards; and
- we can have a sound economy that minimizes environmental impacts.

Most British Columbians agreed.

Since the Brundtland Commission report, numerous consultations have been held and British Columbians have come forward with their ideas on what should be done to create sustainability in our province. Simultaneously, Canadian governments have acted on provincial, national and international levels to implement principles of sustainable development. A review of these actions and other public consultation processes - including those of the British Columbia and National Round Tables on the Environment and the Economy, the Forest Resources Commission, the Old Growth Strategy, Parks and Wilderness for the 90's, and the Canadian government's Green Plan (briefly summarized in Appendix IV), reveals that there is substantial common ground.

It appears that there is broad social agreement on the general principles that should form the foundation of a sustainable society. The Commission has summarized these as a basis for its work in a draft *Land Use Charter*.

Please note that this draft Charter is presented as a set of the basic principles to form the foundation of a new land use strategy. The Commission is interested in comments and suggestions regarding the draft Charter, so that it can be refined, as necessary, to reflect the values and expectations of most British Columbians and presented for government consideration.

— DRAFT —

A Land Use Charter

THE PROVINCIAL COMMITMENT

The Government of British Columbia is committed to:

- protecting and restoring the quality and integrity of the environment, and
- securing a sound and prosperous economy

for present and future generations.

This commitment is made to the people of British Columbia and to the global community. A healthy environment and a healthy economy are essential to the social, cultural, material, physical and spiritual well-being of British Columbians. Furthermore, the Province recognizes its obligation to protect, manage and use its resources and environment to fulfil its responsibility to global well-being. Finally, the Province shall ensure that present-day decisions do not compromise the ability of future generations to meet their own environmental and economic needs.

PRINCIPLES

SUSTAINABLE ENVIRONMENT

A healthy environment is the foundation upon which a sound economy and society depend. The essential role that ecosystems play in supporting our society establishes an environmental imperative that must be respected in all land, resource, and economic decisions. Our priority must be to maintain natural systems for present and future generations.

1. The Province shall maintain and enhance the life-supporting capacity of air, water, land and ecosystems. The Province shall respect the integrity of natural systems, and will seek to restore previously degraded environments.

2. The Province shall conserve biological diversity in genes, species and ecosystems.
3. The Province shall attempt to anticipate and prevent adverse environmental impacts. When making land and resource decisions, the Province shall exercise caution and special concern for natural values, recognizing that human understanding of nature is incomplete.
4. The Province shall ensure that environmental and social costs are accounted for in land, resource use and economic decisions.
5. The Province shall recognize its responsibility to protect the global environment, to reduce consumption to sustainable levels, to avoid importing or exporting ecological stresses, and to help meet the global challenge of sustainably supporting the human population.
6. The Province shall protect the environment for human uses and enjoyment, and will also respect the intrinsic value of nature.

SUSTAINABLE ECONOMY

Our ability to sustain a quality environment depends upon our ability to foster a strong and sustainable economy. Such an economy is more efficient, and derives greater social benefits from the use of fewer environmental assets. In addition, a sustainable economy can provide the means for increased environmental protection and conservation, while offering society alternatives to undue exploitation of natural resources.

1. The Province shall promote a dynamic and competitive economy that maintains options for future land and resource uses.
2. The Province shall encourage diversified economic development that increases the employment and other benefits derived from a given stock of resources.
3. The Province shall encourage development that reduces waste and makes efficient use of resources.
4. The Province shall encourage optimum use of natural systems and resources, consistent with their inherent capability to support our economic, social and environmental needs.
5. The Province shall ensure that renewable resources are used in a manner that is sustainable over the long term.
6. The Province shall ensure that the use of non-renewable resources avoids their exhaustion, and addresses the needs of future generations.

7. The Province shall stimulate environmentally sound economic activity and innovation through a system of economic instruments.
8. The Province shall provide a regulatory framework which promotes stability and predictability for business and investment.

SOCIAL SUSTAINABILITY

Social equity requires that the concerns of individuals and communities are respected as environmental and economic needs are balanced.

1. The Province shall aim for a fair distribution of the costs and benefits of land use decisions.
2. The Province is committed to social stability, and will support economic and social measures to address the economic effects of land use decisions.
3. The Province shall promote a good quality of life by fostering opportunities to:
 - earn a living;
 - obtain education and training;
 - access social, cultural and recreational services; and
 - enjoy a quality environment.
4. In addition, equity requires that land use and related resource and environmental decisions be made in a fair and open manner.

DECISION-MAKING PROCESSES

These environmental, economic and social principles shall be implemented and reconciled in neutrally administered decision-making processes that are open to the participation of all interests. The processes shall promote decision-making through the building of consensus amongst diverse perspectives and stakeholders.

1. The processes used for making decisions regarding land, resource and environment use must be:
 - **Comprehensive and Integrated** — Land use planning and management shall be cross-sectoral, comprehensive and integrated. The processes will address the full range of environmental, social and economic concerns and values.

- **Fair** — The processes will adhere to the principles of administrative fairness, and shall provide full public access to relevant information.
- **Efficient and Effective** — The processes will strive for efficient use of time and financial resources. Decision-making will be based on adequate information and assessment, so that wise and effective decisions can be made. The processes should effectively implement the principles of a sustainable society.
- **Accountable** — Decision-makers must be accountable to all participants in the processes, as well as to the broader public. Lines of accountability should be established for participants in decision-making who represent others. Overall, the processes must be responsive to community aspirations while maintaining consistency with provincial principles, goals and policies.
- **Enforceable** — The decisions made must be properly monitored and enforced.
- **Adaptive and Flexible** — The processes shall be capable of modifying decisions in response to technological innovations, field experience, shifts in social preferences, and new information. These modifications will be made in a manner that maintains social, environmental and economic stability.
- **Respectful** — The processes shall encourage respect for the diverse values, traditions, and aspirations of British Columbians and their communities.

ABORIGINAL PEOPLES

Aboriginal title and the inherent rights of Aboriginal people to self government are recognized.

Land use decision-making shall incorporate, support and not interfere with negotiations on Aboriginal self government and treaties. Aboriginal peoples shall be encouraged to be active participants in decision-making.

SHARED RESPONSIBILITY

Achieving a sustainable society is everyone's responsibility — from individuals, businesses, and non-government organizations, to all levels of government, Aboriginal peoples, and the global community. The Province shall encourage all parties to protect the environment and build a sustainable economy. Our success depends upon the independent and cooperative initiatives of all British Columbians.

Conclusions

Adoption of the draft Charter will serve to:

- set the new land use strategy in the larger context of building a sustainable society;
- provide general purpose and direction for subsequent policies and actions; and
- provide guidance to the regional and community-based planning and management processes.

The Charter is a first step in building a provincial strategy that aspires to harmonize all levels of Provincial Crown land use planning and enhance coordination and consistency between Crown land planning and that of municipal government.

These principles are high level statements of social values which may well conflict with one another and need to be reconciled in their practical application. Where environmental, economic and social principles appear to conflict when applying them in specific regional or community-based planning processes, it is most constructive for them to be balanced through shared decision-making processes. The Commission has developed a framework for such processes which is outlined under "Framework For Process" in this report.

Regional Process

Introduction

The Commission has designed the framework for and will support regional negotiation processes to determine the most appropriate allocation or large scale zoning of land for different regions of the province. These negotiation processes will involve regional representatives of all significantly and directly affected interests, including provincial government agencies, community governments, Aboriginal peoples and major sectoral interests. A discussion of the framework for these processes is presented in this report (please see page 25).

The reason for determining land use allocations at the regional level is that a regional perspective can provide more flexibility in achieving a balance between economic, social and environmental interests. When such allocation decisions are attempted at a community level, less options are identified or available to accommodate the important and deeply held values of the negotiating parties.

While conforming with provincial principles, goals and policies, the regional negotiations will also draw upon the work of various community-based processes dealing with resource use management and planning within the region.

Process and Issues

The Commission will provide the resources and facilities to support these shared decision-making processes, including the hiring of independent mediators. The parties will determine their own detailed negotiation process, including the manner in which they will work towards achieving consensus and in making recommendations to the public and to Cabinet regarding:

1. Land use allocations including protected, special management, integrated or intensive resource management areas;
2. Economic transition and mitigation strategies for communities affected by land use allocations;
3. Priority issues that must be addressed through community-based planning processes, or through special studies;
4. Implementation and monitoring details including such items as methods, schedules and required resources; and
5. Other points that the parties wish to convey.

The Commission's Role

The Commission will play a significant role in the regional negotiation processes. In addition to preliminary design and implementation, the Commission will:

1. Facilitate process,
2. Provide broad definition to regional boundaries,
3. Provide information support, and
4. Prepare a public report.

Specifically:

1. **Process** — Members of the Commission staff and independent mediator will play a major role in the facilitation of regional processes and in orientation of the participants (see "Framework for Process").
2. **Regional Boundaries** — The Commission is developing a set of criteria to assist establishing boundaries for regional negotiation processes. As part of the regional negotiation processes, participants will finalize these boundaries. Regional boundaries must be flexible at this early stage in order to accommodate a number of considerations, including:
 - a. The nature of regional issues and objectives. For example, to achieve recommendations on representative park and wilderness areas for a given ecological zone will require that all of the candidate parks and wilderness areas be considered together.
 - b. Information required to support regional negotiations. Information will be most commonly presented at a scale of 1:250,000 and provides a constraint on the actual size of regions in that information may be unmanageable if the area is too large.
 - c. Realistic access to regional negotiation processes by representatives of various interest groups. Participants must be able to travel to meetings with relative ease.
 - d. Settlement and population patterns, transportation links, tenure commitments and resource flows (e.g. timber supply units and where the timber goes). Each of these factors may modify defined regional boundaries.

Government has requested that the Commission give priority to the Vancouver Island, Cariboo-Chilcotin and Kootenay regions.

3. **Information** — It is the Commission's goal to provide information in which all parties have confidence, and that can provide an accepted basis for the development of options and the assessment of implications.

Information regarding environmental, social and economic values is critical to the regional negotiation processes. The Commission is assembling existing information that can be used as a starting point in regional negotiations. This information will be refined, added to and used in developing and evaluating options for land use allocation.

Information will include, but not be limited to, such themes as ecological zones, existing and proposed protected areas, Aboriginal land issues and key sustenance areas, heritage or archaeological sites and landscapes, fisheries and wildlife, tourism and recreation, mineral potential, forest capability, old growth candidate areas, watershed, resource land tenure, administrative boundaries and socio-economic data.

To avoid or minimize potential disagreements over the credibility and neutrality of information, the Commission intends to:

- engage interest groups in information gathering;
- retain independent expertise in which all the interest groups must have collective confidence to analyze the information.

Existing information will make a significant contribution to the processes. Additional information requirements identified through the process and the Commission will endeavour to meet these.

4. **Reporting**—The regional negotiation processes will be time-limited. At the end of the set period, the Commission will report to the public and to Cabinet on the decisions reached, issues on which there is disagreement and on possible options. The various options will be set out in detail and will include the environmental, social and economic consequences of each, as a basis for Cabinet decision-making. The report, in a comprehensive and understandable format, will be made widely available to the public and will provide the government with a reasoned basis for its decisions.

It is expected that consensus recommendations delivered from regional negotiation processes that conform to the provincial strategy will be adopted by Cabinet.

Recommendations to Cabinet

It is expected that consensus recommendations delivered from regional negotiation processes that conform to the provincial strategy will be adopted by Cabinet. This is the understanding by which the various parties, including government representatives, will have agreed to take part.

Priorities and Timing

The Commission has been asked by the provincial government to give priority to regional negotiation processes for the Vancouver Island, Cariboo/Chilcotin and Kootenay regions. Preparatory work on the Vancouver Island process has started, with substantive talks to commence in the early fall and be completed by August, 1993. Preparation has also started in the other two regions and negotiations should be fully underway by the end of this year, with completion by December, 1993.

These three priority regions were identified by the provincial government as requiring special attention due to the level of conflict over resource use at specific sites in each of them. The government also announced interim decisions to defer logging in some of these conflict areas during the course of negotiations. These interim decisions were provincial government initiatives and not those of the Commission.

The provincial government has also asked the Commission to make recommendations with respect to the complex land use and related resource and environmental issues in the Tatshenshini-Alsek area, northwestern British Columbia. The area is currently identified as a proposed study area in the protected area strategy and also contains a proposed mining project. The Commission will deliver its recommendations to the public and to Cabinet by early fall.

Negotiations in other regions of the province are expected to commence during 1993. The Commission will endeavour to initiate planning processes to coincide with such government initiatives such as the Protected Areas Strategy where specific schedules have been announced.

Community-Based Process

Introduction

As an important part of the provincial land use strategy, the Commission will help design, implement and support community-based, shared decision-making processes for planning and management of resources, consistent with both the regional land use allocations and emerging provincial principles and policies.

Pilot Projects

There are many important considerations in the establishment and operation of community-based resource planning and management processes. The Commission will be studying these factors to determine the most effective framework for these processes. Over the next year the Commission plans to: •

1. Assess alternative models for community-based resource management organizations and processes.
2. Examine key policy issues with respect to community-based resource management organizations and processes such as:
 - participant selection and accountability,
 - relationships to government authorities and regional processes,
 - degree of government support,
 - appropriate community boundaries or areas, and
 - information requirements and availability.
3. Investigate the interactions between management and allocation decisions at the community level.
4. Explore a forum for Aboriginal involvement that is compatible with the evolution of joint stewardship agreements.

The Commission will consider the results of these findings and recommend options for community-based resource management.

Fortunately, a variety of processes which involve some level of public participation in resource management have been or are operating in different parts of the province. These include the Ministry of Forests' Forest Land Management Planning (FLMP) and Local Resource Use Planning (LRUP) processes; local Round Tables; various resource use and sustainable development advisory committees to the provincial government; and "grass-roots" committees involving all-party discussions on how to resolve land use conflicts in different communities.

As part of its study, a list of existing community-based management processes is currently being prepared by the Commission in consultation with various provincial ministries and other community and provincial initiatives.

Framework for Process

Introduction

The traditional approach to land and resource allocation, based primarily on the responsibility of the statutory decision-maker, is not working effectively in British Columbia. The public feels alienated from the process and is demanding more meaningful involvement in decision-making.

The Commission's responsibilities include developing and coordinating negotiation processes designed to address land use allocation decisions at the regional level and resource management and planning issues at the community level.

This section describes the organizational framework within which these negotiation processes will develop. It outlines a shared decision-making approach which is in keeping with the widely accepted principles of interest-based negotiation. This approach signals a significant departure from the way in which we have traditionally made land use and resource planning decisions in British Columbia.

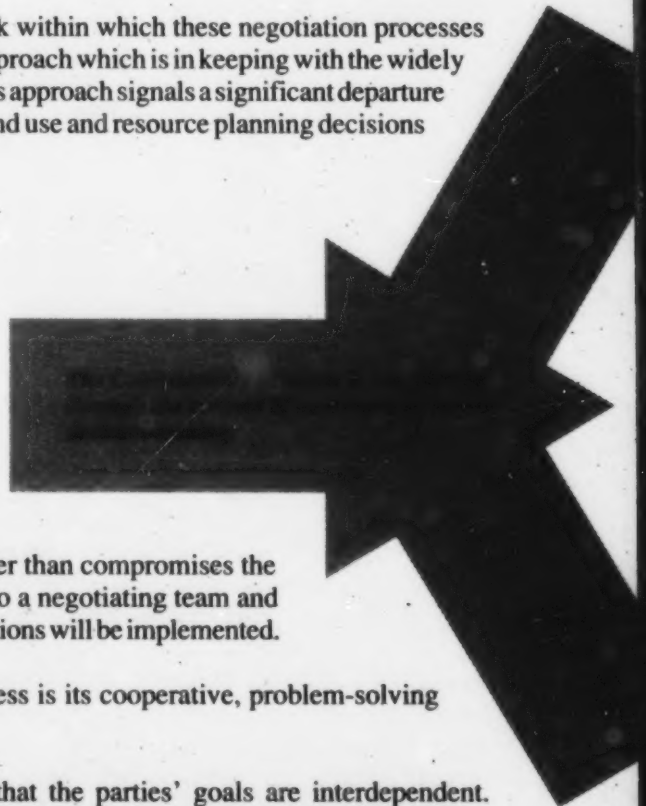
Shared Decision-Making

The Commission's mandate is best fulfilled through the concept of consensus or shared decision-making.

Shared decision-making means that on a certain set of issues, for a defined period of time, those with authority to make a decision and those who will be affected by that decision are empowered to jointly seek an outcome that accommodates rather than compromises the interests of all concerned. Decision-making shifts to a negotiating team and when consensus is reached, it is expected that the decisions will be implemented.

The cornerstone of a shared decision-making process is its cooperative, problem-solving approach.

The motivation for cooperation lies in realizing that the parties' goals are interdependent. Invariably, one party cannot get what it wants without the support or action of the other parties. By working together to solve a problem, each party will gain more than it could by relying on traditional bargaining techniques, where a gain for one party is seen as a loss for the other.



The key to success in shared decision-making lies in structuring the process so that it involves the participants in the design and development of the process itself, as well as in the negotiation of the substantive issues. The parties must be involved from the initial assessment of whether or not it is appropriate to use a shared decision-making approach, through to the ultimate implementation of the agreement and monitoring of the outcome.

Experience suggests that the time and energy required of all concerned at the outset of a shared decision-making process is justified by the quality of the outcome - that is, a solution which is more fair, efficient and stable than might be expected from any of the alternatives to a negotiated agreement such as litigation, political lobbying, civil disobedience or continued disagreement and uncertainty.

Objective

The objective of processes is to empower representatives of the affected parties to cooperatively develop recommendations to the public and to Cabinet, dealing with land use allocation and resource and environmental management.

The Process

It is anticipated that each mediated planning process will develop through the following phases:

Prior to convening the parties:

- 1) Preparation
- 2) Assessment

After convening the parties:

- 3) Process Design
- 4) Building Agreement

After reaching an agreement:

- 5) Implementation and Monitoring

1. Preparation

The objectives are to:

1. Identify provincial policy requirements to support the decision-making process;
2. Begin to build personal, organizational and procedural credibility with the affected parties;

3. Establish the availability and means of acquiring information; and
4. Assemble a process management team.

A balanced provincial policy framework regarding natural resource and socio-economic issues, along with key process principles, will help the parties assess whether a shared decision-making approach is appropriate.

The purpose of the preparation phase is to lay the groundwork for the subsequent phases of the mediated planning process. Building and maintaining personal, organizational and procedural credibility is critical to the success of the negotiation. It is also important at this stage to anticipate basic information needs and assemble data that is easily understood and useful for analysis and comparison.

Given the size and complexity of the regional planning initiatives, a team approach will be used for process management. The initial process management team will be comprised of Commission staff and contracted mediation professionals to handle preliminary administrative, preparatory and participant orientation matters. In the later stages of the negotiation process, each team will be lead by an experienced mediator or co-mediators approved by the parties and supported by Commission staff and other professional or technical people, as required.

2. Assessment

The objectives are to:

1. Enable potential participants to assess the appropriateness and feasibility of using a shared decision-making approach, explore alternatives to a negotiated outcome, determine constituent support and help identify who must be involved;
2. Permit an objective, third party assessment of the appropriateness and feasibility of a shared decision-making approach; and
3. Begin building constituencies and establishing communication links.

By commencing with an assessment of the merits of this type of process, the parties are able to discuss with their constituents and each other the purpose and desirability of a negotiated approach and their willingness to participate. The parties must be satisfied that negotiation is the most appropriate means of addressing resource allocation issues before proceeding. If the parties decide a shared decision-making process is not appropriate, the Commission will fulfil its legislated role by preparing a public report which will provide the government with a reasoned basis for regional land use decisions.

An independent third party assessment will take place at the same time as the parties' self assessment. Conducted by the process management team, it will examine the prospects for a negotiated outcome from a process perspective, attempt to gain a sense of the issues and determine the need for relationship building prior to negotiation.

The pre-negotiation phases are also designed to initiate the desired shift from competitive to cooperative negotiation tactics.

3. Process Design

The objectives are to:

1. Create a forum and process for shared decision-making;
2. Promote understanding and develop working relationships;
3. Enable the parties to select a mediator or co-mediators; and,
4. Determine conditions governing the implementation of a negotiated settlement.

Although the primary objective is to create a suitable forum and process for shared decision-making and to establish necessary procedural ground rules, an agreement on process also builds confidence, commitment and cooperation.

The negotiation process must be tailored by the parties to fit the circumstances. Having agreed that a negotiated outcome is preferred, the parties jointly design the terms of reference, build a procedural framework, develop a negotiating agenda, agree on required information and, in essence, share "ownership" of the process.

The parties must agree on a procedural framework prior to negotiating substantive issues. If they cannot, it is unlikely that they will be able to agree on substantive issues. The very process of negotiating procedural issues also facilitates the necessary change from competitive bargaining to a more cooperative problem solving way of thinking.

4. Building Agreement

Objectives:

1. To reach agreement on recommendations that accommodate rather than compromise the interests of all concerned; and
2. To secure broad constituency support for the agreement.

Having laid a foundation and constructed a framework for shared decision-making in the assessment and process design phases, the chance of reaching an agreement on substance is greatly improved.

Negotiating the substantive issues in dispute requires that the parties:

- clearly identify the issues they wish to resolve;
- convert their pre-formulated "positions" on the issues into more fundamental "needs and interests";
- create a variety of options to satisfy all interests;
- build an agreement based on objective criteria;
- assess whether the agreement can be implemented;
- formalize the agreement; and
- seek ratification from their constituencies.

The agreement must be formalized and documented to avoid misunderstanding. It must also be submitted to the parties' constituents for ratification. Securing broad-based support for a negotiated agreement is often dependent on the quality of communication between the representatives and their constituents throughout the process.

5. Implementation and Monitoring

The mediated planning process will result in a single report to the Commissioner which:

1. Includes consensus recommendations with respect to land use allocation and resource planning and management; or
2. Indicates where the parties disagree and, if possible, identifies options as to how outstanding issues may be addressed.

When an agreement is reached, Commission staff will undertake responsibility for supporting the implementation and monitoring phases of the process. The mediator will assume an advisory role on an "if and as required" basis. The mediator may also assist the parties in the preparation of their report to the Commissioner.

The Commission will prepare a report to the public and to Cabinet outlining the parties' recommendations, areas of disagreement and possible options and implications.

Dynamic Nature of the Process

The problem-solving exercise in a shared decision-making process is seldom straightforward. Rather than a step by step progression with a beginning and end, it is more realistic to picture it as a dynamic process which recognizes that:

1. Due to complexity or some other obstacle such as lack of information, ineffective process or "people problems", the parties may need to repeatedly return to earlier steps; and

2. The passage of time and the development of the process itself will have a bearing on the parties' perception of the problem, requiring a return to earlier stages.

Representation

The shared decision-making process depends on the representation of all parties with a key interest or stake in the outcome including:

- those who have the authority to make a decision,
- those directly affected by the decision, and
- those who could delay or block the decision.

During the assessment phase, this representation will help the process management team identify the full range of interests to be represented.

In order to keep the negotiation process manageable, it is necessary to build coalitions among constituent groups or organizations with related interests. Each coalition will in turn be responsible for the selection of an individual or team to represent the coalition in the negotiation process.

Each interest group or coalition will choose its participant(s) on the understanding that, subject to ratification, the representative will be in a position to make decisions and commitments on behalf of those they represent.

The representatives will be expected to:

- accurately reflect the interests and expectations of their constituents, and
- communicate with their coalition, constituent groups or organization in a way that maintains flow of information and facilitates commitment to decisions.

Conclusion

A shared decision-making process provides the participants with an opportunity to design their own solution to a joint problem. Differences in fundamental values may continue despite an agreement to accommodate them in a specific dispute and conflict may arise again in a different context. However, future prospects for resolution will be better given a negotiation structure to deal with the new dispute and parties familiar to the negotiation process and each other.

Funding

The shared decision-making approach is based on balanced representation of interests at the negotiating table. The Commission is developing a policy and approach to funding that will ensure there are no structural or financial barriers to achieving balanced representation.

Process Funding

In order to ensure balance and fairness in regional negotiation processes, the Commission will:

- fund a mediator acceptable to all parties,
- provide administrative and logistical support to participants to ensure appropriate communications to their constituents,
- pay for travel and accommodation costs for participants requiring this type of support, and,
- assist with data collection and analysis which are determined through the negotiations to be essential to the process.

At the community level, the Commission will provide mediation and administrative support to community-based pilot projects to evaluate the best framework for dealing with management and zoning issues.

Participant Funding

The issue of direct participant funding has broad implications for many government processes and initiatives, including public consultation forums, regulatory hearings and participatory planning processes. The provincial government is developing a common policy on participant funding which the Commission will apply in its work.

Aboriginal Peoples

Introduction

The Commission has the responsibility to encourage the participation of Aboriginal peoples in all processes under this Act which might affect them, to maintain strong links with Aboriginal treaty negotiations and to ensure that the work of the Commission is without prejudice to Aboriginal rights and treaty negotiations.

Aboriginal peoples are concerned that land use and related resource and environmental management decisions do not prejudice their rights, to exercising effective self-government and the results of treaty negotiations. These concerns can and will be addressed by the Commission in its work.

Participation

The Commission will encourage the active participation of Aboriginal peoples in all aspects of its work. At the provincial strategic level, the achievement of broad environmental, social and economic sustainability is the most effective safeguard against prejudice to the rights of Aboriginal peoples to land, resources and the environment. Aboriginal representatives will be directly consulted in development of these guiding provincial principles.

The concern for interim protection against resource depletion on lands that are the subject of Aboriginal claims can be addressed in the regional negotiation processes. It is extremely important that Aboriginal representatives participate in these processes.

At the community level, the vigilant and direct participation of Aboriginal representatives in community-based processes will ensure that resource and environmental management is sensitive to their interests.

Self-Government

Aboriginal peoples wish to be recognized as distinct from other interests in the shared decision-making processes. They are also concerned that participation in these processes might prejudice their rights to self-government. In default of consensus in the negotiation process, decision-making reverts to the statutory decision-maker who was also a participant in negotiations. The

Ministry of Aboriginal Affairs has entered, and will be entering into, joint stewardship agreements with Aboriginal peoples which provide for joint decision-making on resource management issues. Such protocols could come into effect to govern decision-making, "government to government", where an all-party process has failed to resolve an issue. This would provide Aboriginal peoples with the necessary supplementary status to "third party" interests.

Commission Liaison Committees

Introduction

It is important that the work of the Commission be given broad endorsement by government, non-government groups and Aboriginal peoples. To ensure this, the Commission plans to seek advice through liaison committees.

Government

With respect to inter-ministerial initiatives such as planning, inventory development and resource use management, the Commission has organized a liaison committee consisting of senior Victoria and regional officials from ten provincial ministries which is chaired jointly by Assistant Deputy Ministers from the Ministries of Energy, Mines and Petroleum Resources and Environment, Lands and Parks. This group meets regularly with Commission staff to discuss ways of ensuring balanced representation on initiatives that cross the mandates of various ministries, and to assist in effective integrated resource management throughout the province. This liaison committee also acts as an informal advisory group to the Commission on various aspects of its work which will have an impact on the operations of government. The Commission will also be consulting community and federal governments on a regular basis.

Non-Government

The Commission will establish liaison and conduct regular consultation with groups reflecting a broad range of sectoral interests such as the B.C. Round Table on the Environment and the Economy and the Dunsmuir II Group, as well as individual sectoral representatives.

Aboriginal Peoples

The concept of an Aboriginal liaison committee is being explored with representatives of the Aboriginal community. The intent is to establish a group that would meet regularly with the Commission to discuss ways of ensuring that the interests of Aboriginal peoples are given full consideration by the Commission in carrying out its mandate.

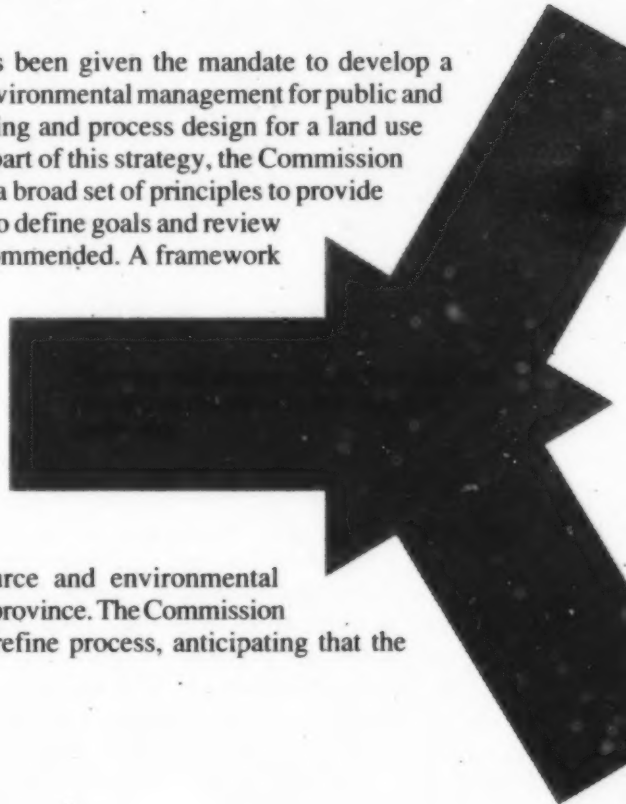
Coordination of other Provincial Initiatives

The Commission has been given the statutory responsibility to facilitate the coordination of other provincial government initiatives. This includes such processes as the Protected Area Strategy (Parks and Wilderness for the 90's and Old Growth Strategy), the Forest Resources Commission, the Round Table on the Environment and the Economy and other environmental, economic and social initiatives relevant to land use. For example, the provincial strategy may incorporate the work of the Round Table on sustainability and the various new environmental management and protection standards which may be legislated; the regional allocation processes will review and incorporate the protected area strategy; and the community-based resource management processes will draw on the Round Table's work on community participation.

Concluding Statement

The Commission on Resources and Environment has been given the mandate to develop a province-wide strategy for land use and resource and environmental management for public and government consideration in British Columbia. Planning and process design for a land use strategy, as described in this report, are under way. As part of this strategy, the Commission has proposed a draft *Land Use Charter* which contains a broad set of principles to provide direction for the planning processes. It has also started to define goals and review existing policies so that integrated actions may be recommended. A framework for regional negotiation processes to establish land use allocations and community-based processes to manage resource and environmental issues has been designed.

As directed by the provincial government, the Commission has begun preparation for regional negotiation processes in the Vancouver Island, Cariboo-Chilcotin and Kootenay regions. It has also begun examining the complex land use and resource and environmental management issues in the Tatshenshini-Alsek area of the province. The Commission will continue to develop the overall strategy and to refine process, anticipating that the strategy will be enacted in future legislation.



Appendix I

Glossary of Terms

BIODIVERSITY — the variety of life forms, the ecological roles they perform and the genetic diversity they contain.

COMMISSION — the Commission on Resources and Environment.

COMMISSIONER — the Commissioner on Resources and Environment.

CONSENSUS — can be defined as "general agreement" on a conclusion or, conversely, no substantial disagreement with that decision. The parties involved may not agree with every aspect, but taken as a whole, a decision based on consensus satisfies the major interests and concerns of each party to the extent that they can all support it.

ECOSYSTEM — an ever-changing complex of plant, animal, fungus and microorganism communities interacting with their associated non-living environment as an ecological unit.

INTEGRATED RESOURCE MANAGEMENT AREA — an area managed by a process that identifies and considers all resource values along with social, economic and environmental needs, and with the goals of sustainability.

MEDIATION — the art of managing discussions between one or more conflicting parties to promote agreement.

PROVINCIAL STRATEGY — the overarching strategy for land use and resource and environmental management for British Columbia, including the regional negotiation processes and community-based management processes.

NON RENEWABLE RESOURCE — a resource that is not capable of being replaced by natural ecological cycles.

PROTECTED AREA — a legally established area to protect the natural ecosystems of the province such as provincial parks, wilderness areas, ecological reserves, wildlife management areas and heritage designations for sites, rivers and trails.

RENEWABLE RESOURCE — a resource that is capable of being replaced by natural ecological cycles.

SHARED DECISION-MAKING — decision-making where, on a certain set of issues for a defined period of time, those with authority to make a decision and those who will be affected by that decision are empowered to jointly seek an outcome that accommodates rather than compromises the interests of all concerned. The responsibility of decision-making shifts for the time being to a negotiating team.

SUSTAINABLE — capable of being maintained indefinitely; capable of meeting the needs of current generations without compromising the ability to meet those of future generations.

Appendix II

COMMISSIONER ON RESOURCES AND ENVIRONMENT ACT

Contents

Section

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2. Appointment of the commissioner
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11. Delegation of the commissioner's powers or duties
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14. Commencement

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Interpretation

1. In this Act "commissioner" means the Commissioner on Resources and Environment appointed under section 2.

Appointment of the commissioner

2. (1) The Commissioner on Resources and Environment shall be appointed by the Lieutenant Governor in Council and is a public officer reporting to the Executive Council.
- (2) An appointment under subsection (1) is for a term of 5 years and reappointments may be made.

Commissioner's role

3. (1) The Commissioner shall advise the Executive Council in an independent manner on land use and related resource and environmental issues in British Columbia and on the need for legislation, policies and practices respecting these issues.

- (2) If the commissioner considers that the public interest will be best served by making a report to the public on a land use and related resource or environmental issue in British Columbia or on the need for legislation, a policy or a practice respecting such an issue, the commissioner shall make this report to the public in the manner the commissioner considers most appropriate.

Commissioner's mandate

4. (1) The commissioner shall develop for public and government consideration a British Columbia wide strategy for land use and related resource and environment management.
- (2) The commissioner shall facilitate the development and implementation, and shall monitor the operation, of
 - (a) regional planning processes to define the uses to which areas of British Columbia may be put,
 - (b) community based participatory processes to consider land use and related resource and environmental management issues, and
 - (c) a dispute resolution system for land use and related resource and environmental issues in British Columbia.
- (3) The commissioner shall work to ensure effective and integrated management of the resource and environment of British Columbia by
 - (a) facilitating the coordination of initiatives within the government, and
 - (b) encouraging the participation of Aboriginal peoples in all processes affecting Aboriginal peoples that relate to the commissioner's mandate and by maintaining strong links with negotiations on Aboriginal treaties.
- (4) The work of the commissioner and the participation of Aboriginal peoples under this Act shall be without prejudice to their Aboriginal rights and to treaty negotiations.
- (5) In carrying out the mandate under this section, the commissioner shall give due consideration to
 - (a) economic, environmental and societal interests

- (b) local, Provincial and federal governmental responsibilities, and
- (c) the interests of Aboriginal peoples.

Representation

- 5. If the commissioner believes that a person or group will be significantly and directly affected by a land use issue or related resource or environmental issue under consideration by the commissioner, the commissioner shall inform that person or group and give that person or group an opportunity to make representations to the commissioner on the issue before the development of the recommendation or report.

Hearings

- 6. (1) The commissioner may conduct hearings for the purposes of this Act and determine the procedures to be followed for the purposes of these hearings.
- (2) No person is entitled to a hearing by the commissioner under this Act except as provided by this Act.
- (3) For the purposes of this section the commissioner has the powers, protection and privileges given under sections 12, 15 and 16 of the *Inquiry Act* to a commissioner appointed under Part 2 of that Act and the commissioner may receive or accept under oath or otherwise, evidence whether or not it would be admissible in a court of law.
- (4) At a hearing before the commissioner a person has the same privileges respecting the giving of information, the answering of questions or the production of documents or things as that person would have in a proceeding in a court.
- (5) Evidence given by a person in a hearing before the commissioner is inadmissible, insofar as the laws of the Province apply, against that person at a later date in any court or proceeding of a judicial nature except in a prosecution of an offence under this Act or in an application for judicial review.

Commissioner as a witness

- 7. (1) The commissioner or a person appointed, engaged or retained under section 10 shall not, insofar as the laws of the Province apply, give, or be compelled to give, evidence in a court or in

proceedings of a judicial nature concerning knowledge gained in the exercise of a power or duty under this Act.

- (2) Subsection (1) does not apply to an offence under section 13.

Immunity for acts or omissions in good faith

8. (1) No action for damages lies or may be brought against the commissioner or any person appointed, engaged or retained under section 10 because of anything done or omitted in good faith
- (a) in the performance or intended performance of any duty under this Act, or
 - (b) in the exercise or intended exercise of any power under this Act.
- (2) Subsection (1) does not absolve the government from vicarious liability for an act or omission for which it would be vicariously liable if this section were not in force.

Further terms and conditions of the commissioner's appointment

9. (1) Subject to section 2 and this section, the Lieutenant Governor in Council may establish the remuneration and other terms and conditions of employment of the commissioner.
- (2) The *Pension (Public Service) Act* applies to the commissioner as an employee.
- (3) The commissioner is declared to have the status of a deputy minister.

Staff

10. (1) A deputy commissioner and other employees necessary to carry out the powers and duties of the commissioner may be appointed under the *Public Service Act*.
- (2) The commissioner may engage or retain specialists or consultants that the commissioner considers necessary to carry out the powers and duties of the office and may determine their remuneration, and the *Public Service Act* does not apply to the retention, engagement or remuneration of these specialists or consultants.

Delegation of the commissioner's powers or duties

- 11.** (1) The commissioner may delegate any of the commissioner's powers or duties, except the power to delegate a power or duty under this section or to make a recommendation or report under this Act, to any person or class of person appointed, engaged or retained under section 10.
- (2) A person appointed, engaged or retained under section 10 has only those powers of the commissioner that are specified in the delegation under subsection (1) and the commissioner continues to have all the powers and duties that are delegated to others under this section.
- (3) A delegation under subsection (1) shall be in writing and is subject to the terms and conditions the commissioner specifies in the delegation.
- (4) A delegation under subsection (1) does not cease by reason only that the commissioner who made the delegation ceases to hold office.
- (5) A person acting under a power or duty delegated under subsection (1) shall, if so requested, show a copy of the written authority under which the delegation was made.

Yearly report to the Legislative Assembly

- 12.** Each year the commissioner shall give to the Speaker a report to the Legislative Assembly concerning the commissioner's activities under this Act since the last report was made under this section, and the Speaker shall lay the report before the Legislative Assembly as soon as practicable.

Offences

- 13.** (1) A person commits an offence if the person
- (a) impedes the exercise of a power or the performance of a duty under this Act, or

- (b) refuses or fails to comply with an order or summons under section 6(3).
- (2) If a corporation commits an offence under subsection (1), an employee, officer, director or agent of the corporation who authorizes, permits or acquiesces in the offence commits the same offence whether or not the corporation is convicted of the offence.

Commencement

- 14.** This Act comes into force by regulation of the Lieutenant Governor in Council.

Appendix III

Commission Staff

ELEONORE BEYER, M.P.A. — Eleonore comes to the Commission from a career in public service management. She holds both a diploma and a graduate degree in Public Administration. She has worked as Director of Personnel and Finance with the Ministry of Consumer and Corporate Affairs and most recently as Director of Administration and Special Investigator with the Ombudsman's Office.

BILL BOURGEOIS, Ph.D. — Bill comes to the Commission from MacMillan and Bloedel where he held positions as Soils and Terrain Specialist, Supervisor and Manager of the Land Use Advising Team and General Manager of Woodlands services Division. He holds degrees in Agriculture and Forest Soils and is a Registered Professional Forester.

DARYL BROWN, M.A. — Daryl studied Natural Resources and Physical Geography at the undergraduate level and completed graduate studies in Community and Regional Planning. He has had twelve years experience in several provincial government natural resource management ministries including Forests, Crown Lands, Energy, Mines and Petroleum Resources and Environment.

CRAIG DARLING, B.A., LL.B. — Craig is a lawyer and mediator, who has practised in the area of environmental and public policy dispute resolution including in particular, the negotiation of community-based strategies for integrating conservation and economic development. He is also involved in conflict analysis, negotiation training and the design of public dispute resolution systems.

SARAH FLYNN, M.R.M. — Sarah has an undergraduate degree in psychology and a graduate degree in resource management from the School of Resource and Environmental Management at Simon Fraser University. She has worked as a psychiatric social worker and most recently as a natural resource investigator for the Office of the Ombudsman.

JENNIFER GLASSEL — Jennifer joins the Commission as a secretary, leaving her most recent position as personal secretary to the Chairman of the Agricultural Land Commission. Jennifer is completing studies leading to a Business Administration Diploma.

ALEX GRZYBOWSKI, M.A. — Alex holds undergraduate and graduate degrees in Geography with a focus on natural resource management, land use planning and environmental assessment. His professional background includes acting Director of Tourism, Sustainable Development Branch, B.C. Ministry of Tourism; private consulting in tourism and environmental assessment and operating an adventure tourism business.

DAVID JOHNS, B.E.S., M. Arch. — David comes to the Commission from the position of Manager of the Land Policy Branch, Ministry of Environment, Lands and Parks. He formerly served as Director of Planning/Secretary to Provincial Land Use Committee of the Manitoba Cabinet and Assistant Deputy Minister of Environment for Manitoba, where he helped develop the provincial land use planning process. David's undergraduate degree is in Environmental Studies, his graduate degree in Architecture.

ROSANNE LAWRENCE — Rosanne is a receptionist at the Commission. She brings 15 years of office experience having worked with a number of government, industrial and public institutions.

DENIS O'GORMAN, M.A. — Denis holds an undergraduate degree in Geography and a graduate degree in Planning from U.B.C. He joins the Commission as Deputy Commissioner. He has worked with the Calgary Regional Planning Commission, the Lower Mainland Regional Planning Board, the Greater Vancouver Regional District, Parks Canada, the ELUC Secretariat, Energy, Mines and Petroleum Resources and most recently with the B.C. Forest Service.

A LAND USE STRATEGY FOR BRITISH COLUMBIA

STEPHEN OWEN, LL.M, M.B.A. — Stephen is the Commissioner on Resources and Environment. Previously he has served as Ombudsman for British Columbia (1986 to 1992), was the Executive Director of the Legal Services Society of British Columbia (1982 to 1986), taught for two years in Nigeria with Canadian University Services Overseas (CUSO) and worked in a private law practice. Stephen has also acted as an independent legal advisor to Amnesty International on cases in Africa, Europe and North America.

MAUREEN PARTINGTON — Maureen joins the Commission as a secretary. Prior to joining the Commission she worked at various financial institutions as a clerk and secretary and most recently as secretary to the Land Use Policy and Industry Development Branches of the Ministry of Forests. Her professional focus is on computer management of information systems.

CLAY PERRY, B.A. — Clay holds an Honours degree in Philosophy. He brings to the Commission labour-relations experience gained through his involvement with the IWA of Canada as Legislative Representative and Director of the Environment and Land Use Department. Earlier assignments include assistant to the Minister of Health and to the Deputy Minister of Labour and Public Service Commissioner.

GREG ROBERTS, M.A. — Greg joins the Commission from the Ministry of Environment, Lands and Parks where he is currently Director of Land Policy. He has also worked as Supervisor of Resource Planning and Evaluation for the Department of Indian and Northern Affairs in Alberta and as resource management consultant for the Department of Northern Saskatchewan. Greg holds undergraduate and graduate degrees in Geography from the University of Victoria and York University, respectively.

CALVIN SANDBORN, B.A., LL.B. — Calvin holds a law degree from the University of British Columbia and joins the Commission from the West Coast Environmental Law Association, where he acted as staff counsel for clients on a wide range of environmental issues. He has also worked as staff counsel for the Farmworkers Legal Services. Calvin has published a number of books including "Law Reform for Sustainable Development in British Columbia", "Preventing Toxic Pollution: Toward a British Columbia Strategy", and a "A Citizen's Guide to the Environmental Appeal Boards."

DINAH STANLEY, B.S.W. — Dinah joins the Commission as a specialist in dispute resolution. Dinah's undergraduate degree is in social work with a specialization in community issues. She was formerly Director of Programs at the UVic Institute for Dispute Resolution. Dinah's background also includes private practice work as a family and group mediator, instructor of conflict resolution at the Justice Institute of B.C., Executive Director at the Victoria Dispute Resolution Centre and Arbitrator with the Residential Tenancy Branch.

LINDA THORSTAD, M.Sc. — Linda holds undergraduate and graduate degrees in Geology. Within the mining industry she has acted in the capacity of company executive and consultant. She has also been a spokesperson within the industry involved particularly in environmental and land use issues. Linda is a registered professional geoscientist and serves on Council for the Association of Professional Engineers and Geoscientists of B.C.

JOAN VANCE, LL.B. — Joan will join the Commission in the near future. She holds a law degree from McGill University and has worked as counsel for the B.C. Public Advocacy Centre for the past six years, where she has represented a number of First Nations. Joan has published a number of articles and books including "Tree Planning - A Guide to Public Involvement in Forest Stewardship".

SUE WALKER — Sue is the Commissioner's Assistant. She has spent the last 12 years working with various government organizations including six years as Senior Executive Secretary to the Ombudsman.

GARY YOUNGMAN, LL.B. — Gary joins the Commission as an advisor on aboriginal issues. He has a law degree from the University of B.C. and has most recently acted as Director of Self Government and Negotiations/ Land Claims Registrar with the Ministry of Aboriginal Affairs. Gary has also acted in a consulting capacity on business and negotiation matters, as Executive Director of the Aboriginal Peoples Business Association, as a businessman with the Canadian Overseas Development Corporation and as a lawyer with a practice focused on corporate, commercial and constitutional law related to aboriginal people and land claim negotiation.

Appendix IV

Summary of Consensus Processes

Dunsmuir

In November, 1988, 51 individuals and 34 agencies and public and private interest groups met at Dunsmuir Lodge in Sidney, B.C. to draft an agreement on the need for and key elements of a provincial land and water use strategy to guide the elected officials of British Columbia. That group achieved, through consensus, a mission statement, a set of objectives, and several key implementation points for a land use strategy which became known as The Dunsmuir Agreement on a Provincial Land Use Strategy.

Dunsmuir II

After the signing of Dunsmuir I, the need for an overall strategy to link the growing number of processes established to look at land use (e.g. B.C. Forest Resources Commission; B.C. Round Table on the Environment and the Economy; Parks Plan '91, etc.) became apparent. In May, 1991, a larger group of widely based individuals, including those from Dunsmuir I, participated in Dunsmuir II. The specific goals of this second workshop were to revisit and update the findings of Dunsmuir I, to determine and clearly identify "what a land use strategy would look like for B.C....", and "to determine and identify information, resource needs, inventories, etc., that would be required to implement a land use strategy". The consensus-based, Dunsmuir II Agreement provides a framework for the development of a complete land and water use strategy.

Forest Resources Commission

The Forest Resource Commission, established in 1989 as an advisory body to the Minister of Forests, was given a mandate to review aspects of forest land management. Following a public consultation process, the Commission submitted an April, 1991 report that included a recommendation that the province develop a comprehensive land use planning system designed to reduce conflict over the forest land base, improve credibility of decision-making and identify sustainable land uses. The Forest Resources Commission was subsequently asked to provide more details on its ideas regarding land use planning. Their later report which was publicly released in January, 1992, provided detailed recommendations for a land use planning system for the province.

The Green Plan

The Green Plan is a national environmental action plan developed by the federal government. It defined how the Canadian government intends to implement sustainable development across Canada, and was created as a result of an extensive, national multi-stakeholder consultation process that involved thousands of Canadians.

The Old Growth Strategy

The Old Growth Strategy was prepared by a group of participants representing the views of citizen and environmental groups, forest industry associations, organized labour, researchers, provincial and federal resource agency staff, and individual professionals. The consensus-based strategy, developed over 18 months, provided a framework for managing old growth forests in British Columbia. It is a major component of the Province's Protected Area Strategy.

Our Common Future — The World Commission on the Environment and Development (commonly referred to as the Brundtland Report)

The World Commission on Environment and Development was established in 1983 by the United Nations as an independent body to re-examine the critical environment and development problems on the planet and to formulate realistic solutions. The Commission was asked to formulate a global agenda for change which ensured that human progress could be sustained through development while considering the needs of future generations. The

Commission was headed by Gro Harlem Brundtland, Prime Minister of Norway. The Commission's report serves notice that the environment and the economy are inextricably linked and that nations must take responsibility for environmental damage. The report stressed the urgency for immediate global action.

Parks and Wilderness for the 90s

Early in 1991, B.C. Parks and the B.C. Forest Service requested public advice on Parks and Wilderness for the 90's. They asked people to review two draft working maps which contained suggested goals for park and wilderness management, an inventory of proposed park and wilderness study areas, and steps to be taken to identify those areas. Meetings and open houses were held throughout the province to gather public comment. Almost 5,000 people commented on the goals for park and wilderness area management, the 176 areas proposed for study, and the public planning process itself. This has also become a major component of the Province's Protected Area Strategy.

B.C. Round Table on the Environment and the Economy

The B.C. Round Table was formed on January 16, 1990 to foster the creation of, and seek consensus on, a strategy for sustainable development for the province of British Columbia. The Round Table was mandated as a result of the findings of a task force- "The B.C. Task Force on Environment and Economy." Members of the Round Table come from various sectoral and philosophical backgrounds and geographic regions of the province. The Round Table has produced a number of background papers and consensus-based documents and include strategies for sustainable land, air and water use, communities, development and energy, to mention only a few.